

primarily on the Federal program to reduce lead in gasoline to attain the NAAQS for lead. Because of its straightforward nature, EPA does not anticipate any adverse or critical comments, and is, therefore, going directly to final rulemaking with this SIP. The public should be advised that this action will be effective 60 days from the date of this notice. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw the final action and the other will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

Under Executive Order 12291, today's action is not "Major". It has been submitted to the Office of Management and Budget (OMB) for review.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709).

Incorporation by reference of the State Implementation Plan for the State of Louisiana was approved by the Director of the Federal Register Office on July 1, 1982.

This notice of final rulemaking is issued under the authority of Section 110(a) of the Clean Air Act, 42 U.S.C. 7410(a).

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxides, Lead, Particulate matter, Carbon monoxide, and Hydrocarbons.

Dated: July 22, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Title 40 Part 52, Subpart T—Louisiana of the Code of Federal Regulations is amended to include the following:

1. Section 52.970 is amended by adding (c)(32) as follows:

§ 52.970 Identification of Plan.

* * * * *

(c) * * *

(32) The Louisiana State Implementation Plan for lead was submitted to EPA on July 27, 1979, by the Governor of Louisiana as adopted by the Louisiana Air Control Commission on July 24, 1979. Letters of clarification dated January 6, 1982, April 1, 1982 and May 4, 1982, also were submitted. No action is taken on the Baton Rouge Area.

2. Section 52.979 is amended by adding to the table the pollutant "lead" in a new column in the table as follows:

§ 52.979 Attainment dates for national standards.

POLLUTANT			
Air quality control region	* * *	Lead	
Monroe-El Dorado Interstate.....	* * *	b.	
Shreveport-Texarkana-Tyler Interstate:			
a. Caddo and Bossier Parishes.....	* * *	b.	
b. Remainder of AQCR.....	* * *	b.	
Southern Louisiana-Southeast Texas Interstate:			
a. Ascension, Iberville, St. James, St. John the Baptist, Calcasieu, Orleans, Jefferson, St. Bernard, St. Charles, Grant, Beauregard, Lafourche, Point Coupee, Lafayette, and St. Mary Parishes.	* * *	c.	
b. West Baton Rouge and East Baton Rouge Parishes.	* * *	d.	
c. Remainder of AQCR.....	* * *	b.	

* * * * *

d. Contingent upon review of additional information to be supplied by the State of Louisiana to EPA.

[FR Doc. 82-20422 Filed 7-27-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 52 and 81

[A-10-FRL 2164-6]

Approval and Promulgation of Implementation Plans: Idaho; Designation of Areas for Air Quality Planning Purposes: Idaho

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency today takes final action to approve, with certain conditions, revisions to the Idaho State Implementation Plan (SIP) submitted between January 15, 1980 and March 1, 1982. Further, EPA redesignates one area from nonattainment to attainment and two areas from nonattainment to unclassifiable. The subject SIP revisions replace the original State-adopted, EPA-approved SIP and contain provisions to satisfy requirements of Part D of the Clean Air Act (hereafter referred to as the Act). The redesignations are necessary because of air quality improvements and changes in source

emissions. Approval of the revisions, cumulatively representing an entirely new recodified Idaho SIP, removes the new source construction moratorium in three areas designated nonattainment for total suspended particulates (TSP) and results in the State resuming an air pollution control program. The three redesignations remove the need for attainment plans and lift the construction moratorium previously in effect for these areas.

EFFECTIVE DATE: July 28, 1982.

ADDRESSES: Copies of materials submitted to EPA may be examined during normal business hours at the following locations:

Central Docket Section (10A-80-2),
West Tower Lobby, Gallery I,
Environmental Protection Agency, 401
M Street, SW., Washington, D.C.
20460

Air Programs Branch, M/S 532,
Environmental Protection Agency,
Region 10, 1200 Sixth Avenue, Seattle,
WA 98101

Idaho Operations Office, Environmental
Protection Agency, 422 West
Washington Street, Boise, Idaho 83702

A copy of the State's submittal may be examined at: The Office of the
Federal Register, 1100 L Street, NW.,
Room 8401, Washington, D.C.

FOR FURTHER INFORMATION CONTACT:
Michael Schultz, Environmental
Protection Agency, Region 10, 1200 Sixth
Avenue, M/S 532, Seattle, WA 98101,
Telephone: (206) 442-1985, FTS: 399-
1985.

SUPPLEMENTARY INFORMATION:

I. Background

Between January 15, 1980 and March 1, 1982, the State of Idaho submitted, on eight different dates, revisions to the SIP. These revisions cumulatively represent a new, recodified SIP for the State of Idaho. Major changes in this new SIP include the addition of Part D attainment plans and other provisions required by the Act, more restrictive process weight emission limitations for particulate matter, and the addition of a "bubble" rule.

EPA proposed to approve these revisions, with certain understandings and conditions, on May 17, 1982 (47 FR 21097). EPA also proposed at that time to: (1) Redesignate one nonattainment area to attainment and two nonattainment areas to unclassifiable; (2) rescind the SIP then in effect except regulations containing actual emission limits; and (3) withdraw the proposed rulemaking published on July 16, 1981 (46 FR 36869). A table entitled "Content of the Idaho SIP", which was contained

in the May 17, 1982 proposed rulemaking, was corrected on June 8, 1982 (47 FR 24755). Today's approval will result in reinstatement of the Idaho air program which was terminated on June 30, 1981 through State legislative action. Additional information on today's rulemaking can be found in the May 17, 1982 Federal Register.

II. Response to Comments

A 30-day public comment period was provided on the proposed rulemaking. Comments were received from two companies in Idaho.

One commenter took issues with EPA's conditional approval of the Lewiston TSP SIP, specifically questioning the requirement to study nontraditional TSP sources. The commenter argued that no further TSP emission controls are reasonable for its operations or for other industrial sources in Lewiston. Furthermore, the commenter expressed a belief that the area is "influenced by windblown dust from outside the community", and that further controls on its source would not result in attainment. The commenter concluded that redesignating the area to unclassifiable is preferable to studying and controlling nontraditional TSP sources.

EPA is not convinced that the TSP air quality problem in Lewiston is dominated by windblown dust from outside the community. Available data points to a locally generated problem. EPA maintains that further study is needed to determine the contribution of particulate matter sources to the ambient TSP problem, to evaluate the feasibility of controlling or further controlling these sources, and to identify control strategy alternatives. This approach will likely focus on nontraditional TSP sources and may call for further controls on point sources. This area cannot be redesignated to attainment or unclassifiable so long as standards continue to be exceeded and major industrial sources are contributing to the problem.

A second commenter expressed support for EPA's actions, specifically the redesignations, conditional approvals of TSP plans and conditional approval of certain definitions.

Therefore, EPA is: (1) Approving the subject SIP revisions with the understandings and conditions specified in the May 17, 1982 proposed rulemaking; and (2) redesignating the three nonattainment areas as proposed.

III. Redesignations

Under Section 107(a) of the Act, EPA today is making the following redesignations:

Area	Pollutant	Previous designation	New designation
Pocatello.....	SO ₂	Nonattainment.....	Attainment.
Silver Valley.....	SO ₂	Nonattainment.....	Unclassifiable.
Silver Valley.....	TSP.....	Nonattainment.....	Unclassifiable.

In Pocatello, there have been no violations of the National Ambient Air Quality Standards (NAAQS) for sulfur dioxide (SO₂) during the past eight calendar quarters. Therefore, this area meets EPA's criteria for a redesignation to attainment.

In the Silver Valley, a large lead and zinc smelter has indefinitely suspended operations. Since the smelter commenced its phase-down in October 1981, ambient TSP and SO₂ concentrations have dropped dramatically. This industrial source was the largest source of SO₂ and particulate matter emissions in the Valley. Emissions from all other sources of SO₂ and all other industrial sources of particulate matter are insignificant compared to the smelter's emissions. EPA has concluded that the suspension of operations at the smelter facility has had such a significant impact on air quality in the Valley that data collected prior to the suspension are no longer reliable indicators of the area's attainment status. Therefore, EPA is redesignating the area to unclassifiable for both the SO₂ and TSP standards. With the suspension of operations at the smelter, attainment for both standards appears certain. However, additional data is needed to confirm that the area is, in fact, in attainment. EPA will be closely monitoring air quality data and the plant's closure status. Information available at the end of this year will be used to redesignate the area to attainment or nonattainment as appropriate.

It is important to note that the redesignations from nonattainment to attainment or unclassifiable lift the construction moratorium now in effect for these areas and eliminate the need for attainment plans required under Part D of the Act.

Data supporting the redesignations for both Pocatello and Silver Valley are contained in the docket and are available for review at the locations listed in the "ADDRESSES" section.

IV. Plan Revisions

A. SIP Submittals

EPA today approves, with the understandings and conditions discussed in Subsections B and C of this Section, the following Idaho SIP submittals:

1. January 15, 1980—Revisions submitted in response to the Act's

Section 110 and Part D requirements.*

The major revisions included new source review procedures for nonattainment areas; revised rules and regulations; emission inventories; air quality monitoring data; source surveillance procedures; emergency episode plans; TSP attainment plans for Silver Valley, Lewiston (incomplete), and Soda Springs; and an incomplete SO₂ attainment plan for Silver Valley. Operating permits containing emission control provisions for particulate matter were also included for larger sources. For the Silver Valley nonattainment area, operating permits were submitted for a lead and zinc smelter, and four lumber mills. For the Soda Springs nonattainment area, operating permits were submitted for a phosphate fertilizer manufacturing plant, an ore crushing facility, an elemental phosphorus plant, and a vanadium pentoxide (V₂O₅) plant. On March 1, 1982 the State withdrew the variance rules (1-1007 and 1-1904) contained in the January 15, 1980 submittal. Finally, much of the previously approved Section 110 SIP was resubmitted, unchanged except for recodification.

2. March 7, 1980—TSP attainment plan for Pocatello, including operating permits for a phosphate fertilizer manufacturing plant, an elemental phosphorus plant, and a Portland cement plant.

3. August 8, 1980—Complete SO₂ attainment plan for Silver Valley, including SO₂ emission rules for lead and zinc smelters (1-1851 to 1-1868). On December 23, 1980, the State withdrew certain of these SO₂ emission rules (1-1854.02, 1-1854.04 through .06, and that portion of 1-1856 preceding 1-1856.01). On March 1, 1982, the remaining SO₂ emission rules for lead and zinc smelters were withdrawn.

4. October 27, 1980—Request for EPA to delete the indirect source review rules from the approved SIP (Regulation A, Section 2, definition FFF and III; and Regulation A, Section 4) and a State withdrawal of those indirect source review rules and procedures contained in the January 15, 1980 SIP revision submittal (Rules 1-1002.37, 1-1002.76, and 1-1004; and Appendix F).

5. December 4, 1980—Operating permits for sources in the Lewiston TSP nonattainment area as well as corresponding revisions to the attainment plan. Estimated particulate

* The January 5, 1980 submittal also contained a carbon monoxide attainment plan for Boise. EPA approved this plan as meeting the requirements for a 1979 SIP revision on October 23, 1980 (45 FR 70252). EPA is taking no action on this carbon monoxide plan today.

matter emissions contained in the State's January 15, 1980 submittal were revised to correspond to permit requirements. Permits were submitted for a Kraft pulp mill and two grain loading terminals.

6. February 5, 1981—Revisions to the TSP attainment plan for Pocatello and an operating permit inadvertently omitted from the December 4, 1980 Lewiston submittal. The revisions to the Pocatello plan focused on correcting errors in the emissions inventory, adding a reasonably available control technology (RACT) certification, and redoing the attainment demonstration based on allowable 1982 emissions rather than estimated actual 1982 emissions. The permit was for a wood products operation in Lewiston associated with the Kraft pulp mill addressed in submittal (5) above.

Each of the above mentioned TSP attainment plans, required by Part D of the Act, contains (1) an ambient air quality summary, (2) an emissions inventory, (3) a control strategy discussion and demonstration, (4) a demonstration of reasonable further progress (RFP), and (5) an attainment demonstration. Permits for sources of particulate matter addressed in each of those TSP plans restrict emissions from process and combustion equipment as well as fugitive emissions.

With respect to the four submitted TSP control strategies, EPA conditionally approves the Lewiston, Pocatello and Soda Springs attainment plans pursuant to Part D of the Act and approves the Silver Valley plan pursuant to the requirements of Section 110. Silver Valley approval is being taken under Section 110 and not Part D because EPA is also redesignating Silver Valley to unclassifiable (from nonattainment) for TSP.

As stated earlier in this subsection, the State withdrew its submittal of rules 1-1851 through 1-1868 which represented the SO₂ control strategy for the Silver Valley attainment plan. As stated in Section III, EPA redesignates Silver Valley to unclassifiable (from nonattainment) for SO₂. Therefore, EPA today approves the remaining emissions inventory and air quality data sections of this SO₂ plan under Section 110 rather than Part D of the Act.

B. Approval With Certain Understandings

EPA approves the following rules with the identified stipulations and understandings:

1. Rule 1-1006 ("Upset Conditions, Breakdown")—Application of this rule will be compatible with Clean Air Act objectives. The State has affirmed this

position and has further stipulated: "The burden of proof that excess emissions are unavoidable due to start-up, shut-down, upset, or malfunction is on the industry. If such proof is not provided through the required reporting process, a violation is deemed to have occurred. Frequent repetitive exceedances are not allowed by this regulation." The State is clarifying its operating procedures to achieve the intent stated above.

2. Rule 1-1900.01 ("Alternative Emission Limits")—Individual "bubble" permits developed pursuant to the rule will be submitted to EPA as SIP revisions. EPA will approve such permits provided that they:

- (a) Are consistent with Idaho rules 1-1327, 1-1328, 1-1329, 1-1330 (process weight rate emission limitations);
- (b) Are consistent with approved and applicable SIP control strategies;
- (c) Quantify the allowable emission for each point of emission;
- (d) Are enforceable;
- (e) Limit trade-offs between sources to the same criteria pollutant;
- (f) Do not allow an existing source within a facility to violate an applicable NSPS under Section 111 of the Act or allow an increase in emissions of pollutants regulated under Section 112 of the Act; and
- (g) Are adopted with administrative procedures applicable to SIPs.

The applicable SIP control strategies referred to in item (b) above include requirements that major facilities employ the best available control technology (BACT) or meet the lowest achievable emission rate (LAER) as applicable. EPA will approve permits provided that they maintain BACT and LAER limitations. Further, paragraph (b) of Rule 1900.01 requires that "there will be no degradation in air quality." EPA interprets this provision to mean that permits containing bubble applications must demonstrate that there will be no new, or exacerbations of existing, violations of NAAQS. As part of the agreement between the State and EPA, the State intends to seek authority to administer Part C, Prevention of Significant Deterioration (PSD) requirements. Until that is accomplished, EPA will continue to administer the PSD regulation in Idaho, including protection of PSD increments affected by Idaho bubble permits.

Finally, the State has identified the development of a generic bubble permit rule, consistent with EPA policy, as a priority activity since permits covered by such a generic rule would not have to be submitted as SIP revisions.

3. Rules 1-1003.03(b), 1-1003.04, and 1-1906.08 (permit requirements)—A permit to construct or modify and an

opportunity for public comment shall be provided for each new major stationary source and major modification. An opportunity for public comment shall be provided for any other source or modification which will have a significant impact on air quality.

4. Rule 1906.01 ("LAER Requirements")—As was intended by the State, LAER shall apply where rule conditions .01(a) (source location requirements) and .01(c) (cut-off date for commencement of construction) are met or .01(b) (air quality considerations) and .01(c) are met. The State also agreed to make the corresponding correction to the rule and submit it as a SIP revision.

5. Rule 1-1906.07 ("Emission Banking")—Since an emission banking provision is identified but no program or procedures are provided, the State has agreed to submit all applications of the emission banking provisions to EPA as SIP revisions. When the State adopts, and EPA approves, banking procedures, the need to submit individual banking actions can be eliminated.

6. Rules 1-1010 and 1-1803 (source test procedures)—Any substantive revisions to the formally adopted source test procedures manual (dated 1977) will be submitted to EPA for approval.

7. Definitions:

a. Administrator (not defined)—As used in the State rules, the term means Director of the Idaho Department of Health and Welfare (IDHW).

b. Source and Facility (1.002.67 and 1.002.32)—The State defines "facility" as EPA defines "source" and vice versa. This would not be a problem except that the terms are used inconsistently in the rules. The inconsistent use of these terms will be corrected by the State.

c. Fugitive Dust (1-1002.34)—The State does not intend this definition to preclude or interfere with requiring control of fugitive particulate emissions from industrial sources. Further, it is recognized that the Act requires, in certain instances, application of RACT in controlling particulate fugitive emissions from industries.

8. Part D New Source Review (NSR) Rules:

The Idaho NSR rules were designed to satisfy the EPA requirements as they existed in 1979, specifically the Offset Interpretive Ruling (40 CFR Part 51, Appendix S, January 16, 1979) and the General Preamble for Part D SIPs (44 FR 20372, April 4, 1979). Since adoption and submittal by the State, EPA regulations for Part D NSR programs (40 CFR 51.18(j)) have been promulgated in response to court decisions (45 FR 31307, May 13, 1980; 45 FR 52676, August 7, 1980; and 47 FR 50766, October 14, 1981).

As a result, a number of State provisions differ from current EPA requirements. Some of these differences are addressed in the "Approval with Certain Understandings" and "Conditional Approval" sections of today's rulemaking.

Several other differences are discussed in a Technical Support Document (TSD) which presents EPA's rationale for approving the NSR rules. The TSD is in the docket and is available for inspection at the locations listed in the "ADDRESSES" section of this notice.

As explained in greater detail in the TSD, several of these differences have been addressed by specific interpretations of the State's rules. EPA's approval today is also based in part on the State's commitment to review and revise its NSR rules by (nine months from today's date) in order to satisfy the requirements of 40 CFR 51.18(j). This commitment was incorporated into the Idaho Legislature's Special Air Quality Committee Report, which is referenced in the March 1982 enactment. In addition, EPA has reviewed the State's program and recent permitting history, and has concluded that the differences are not expected to cause any adverse impact on air quality before the State completes its review and revision.

C. Conditional Approval

EPA approves the total suspended particulate (TSP) attainment plans, the NSR program for CO emitting facilities in the Boise nonattainment area and several definitions, with conditions that specific revisions or actions are completed by (9 months from today's date). These conditions are discussed below.

1. **TSP Attainment Plans**—The State must update statistical data in the plan for each of the TSP nonattainment areas. Information is to include, as required by Section 172 of the Act, emission inventories, updated air quality summaries, and revised RFP curves showing adequate progress toward attainment of NAAQS. Emissions inventory data shall be comprehensive and accurate and shall include both current and projected emissions.

2. **Alternatives Analysis**—The State must adopt and submit to EPA a regulation which requires, consistent with Section 172(b)(11)(A) of the Act, "an analysis of alternative sites, sizes, production processes, and environmental control techniques." This regulation would apply to the permitting process for construction or modification

of a major CO emitting facility in the Boise nonattainment area.

3. Definitions:

a. **"Emission Standard"**—In order to be consistent with the definition of "emission limitation" found in Section 302(k) of the Act, the definition of the term "emission standard" must be modified to clearly require "continuous emission reduction."

b. **"Major Facility"** and **"Major Modification"**—For consistency with 40 CFR 51.18(j), the State must use the same "allowable emission" cut-off for CO as for other criteria pollutants or must define "major facility" and "major modification" in terms of "potential to emit" not to exceed 100 tons per year.

V. Effect of Rulemaking

A. SIP Content

The content of today's approved Idaho SIP is shown in 40 CFR 52.679.

B. Continuity of Regulations

In conjunction with the approval of the recodified and revised Idaho SIP, EPA rescinds the SIP currently in effect except those Rules and Regulations containing actual emission limits. These limits remain applicable and enforceable to prevent a source from operating without controls or under less stringent controls, while moving toward compliance with the new Rules and Regulations (or, if it chooses, challenging any new rule or regulation). The old limits will be rescinded when affected sources achieve compliance with the new limits approved in this Notice.

C. Construction Moratorium

On July 1, 1979, a construction moratorium went into effect in all nonattainment areas in the State pursuant to Section 110(a)(2)(I) of the Act and 40 CFR 52.24. The moratorium applied to new major stationary sources and major modifications to existing sources in all designated nonattainment areas in the State. Today's approval of Part D attainment plans and NSR rules, and today's redesignation actions remove this construction moratorium for all areas in Idaho.

D. Withdrawal of Rulemaking

EPA withdraws the proposed rulemaking published on July 16, 1981 (46 FR 38869). This action dealt with those rules necessary for EPA temporarily to manage the Idaho air program.

Under Executive Order 12291, today's action is not "Major." It has been submitted to the Office of Management and Budget (OMB) for review.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this section must be filed in the United States Court of Appeals for the appropriate circuit by September 27, 1982. This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)). (Secs. 107(d), 110(a), 171 through 173, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7407(d), 7410(a), 7501 through 7503, and 7601(a)))

List of Subjects

40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: July 22, 1982.

Anne M. Gorsuch,
Administrator.

Note.—Incorporation by reference of the Implementation Plan for the State of Idaho was approved by the Director of the Office of Federal Register in July 1982.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Chapter I, Title 40, Code of Federal Regulations is amended as follows:

Subpart N—Idaho

1. In § 52.670, paragraphs (c) (19) through (21) are added as follows:

§ 52.670 Identification of plan.

* * *

(c) * * *

(19) Revisions to the "Implementation Plan for the Control of Air Pollution in the State of Idaho" submitted by the Governor of Idaho on January 15, 1980: Chapter I "Introduction;" Chapter II "General Administration;" Chapter III "Emissions Inventory;" Chapter IV "Air Quality Monitoring;" Chapter V "Source Surveillance;" Chapter VI "Emergency Episode Plan;" Chapter VII "Approval Procedures for New and Modified Sources;" Chapter VIII "Non-Attainment Area Plans;" Chapter VIII-a "Silver Valley Non-Attainment Plan;" Chapter VIII-e "Soda Springs Non-Attainment Plan;" Appendix A.2 Legal Authority (Section 39-100, *Idaho Code*); Appendix A.3, Title I, Chapter I, Rules and Regulations for the Control of Air Pollution in Idaho, except indirect source review provisions (1-1002.37, 1-1002.76 and 1-1004), variance provisions

(1-1007 and 1-1904) and "Sulfur Dioxide Emission Limitations for Combined Zinc and Lead Smelters" (1-1851 through 1-1868); Appendix B "Emission Inventory, Ada County Carbon Monoxide Non-Attainment Area;" Appendix G "Permits—Silver Valley" (six permits); and Appendix K "Permits—Soda Springs" (four permits).

(20) Chapter VIII—b "Lewiston Non-Attainment Plan" submitted by the Governor of Idaho on January 15, 1980. On December 4, 1980, the Governor submitted revised pages 31-39, an operating permit for a kraft pulp and paper mill (Appendix H.1), operating permits for two grain loading terminals (Appendices H.3 and H.4), and an

operating permit for an asphalt plant (Appendix H.5). On February 5, 1981 the Governor further revised the nonattainment area plan by submitting a permit for a wood products operation (Appendix H.2).

(21) Chapter VIII—d "Pocatello TSP Non-Attainment Plan" submitted by the Governor of Idaho on March 7, 1980. This submittal included operating permits for an elemental phosphorus plant (Appendix J.1), a phosphate fertilizer manufacturing plant (Appendix J.2), and a Portland cement plant (Appendix J.3). On February 5, 1981, the Governor submitted a revised Chapter VIII—d.

2. The table in § 52.671 is revised to read as follows:

§ 52.671 Classification of regions.

Air quality control region	Pollutants				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Eastern Idaho Intrastate.....	.....	II.....	III.....	III.....	III.....
Eastern Washington Northern Idaho Interstate (Idaho).....	.....	II.....	III.....	III.....	III.....
Idaho Intrastate.....	.....	III.....	III.....	III.....	III.....
Metropolitan Boise Intrastate.....	II.....	III.....	III.....	.....	III.....

3. Paragraph (a) in § 52.675 is relabeled as paragraph (a)(1) and paragraph (a)(2) is added as set forth below:

§ 52.675 Control strategy: Sulfur oxides—Eastern Idaho intrastate air quality control region.

* * * * *

(a) * * *

(2) Rules 1-1801 through 1-1804 (Rules for Control of Sulfur Oxide Emissions from Sulfuric Acid Plants) of the "Rules and Regulations for the Control of Air Pollution in Idaho" are inadequate to ensure attainment and maintenance of Sulfur Dioxide National Ambient Air Quality Standards in the Eastern Idaho Intrastate Air Quality Control Region. Special limits have previously been established for certain existing acid plants in this Air Quality Control Region (§§ 52.670(c)(15) and 52.675(b)). Therefore, Rules 1-1801 through 1-1804 are approved except as they apply to existing acid plants with approved or promulgated emission limits that are more stringent than the limit found in 1-1802.

4. Section 52.679 is added as follows:

§ 52.679 Contents of Idaho State implementation plan.

Implementation Plan for the Control of Air Pollution in the State of Idaho

Chapter I—Introduction
Chapter II—Administration
Chapter III—Emissions Inventory
Chapter IV—Air Quality Monitoring
Chapter V—Source Surveillance

Chapter VI—Emergency Episode Plan
Chapter VII—Approval Procedures for New & Modified Sources

Chapter VIII—Non-Attainment Area Plans

Appendix A—Legal Authority and Other General Administrative Matters

Appendix A.2—Section 39-100, *Idaho Code*

Appendix A.3—Rules and Regulations for the Control of Air Pollution in Idaho

1-1000, 1-1001—Introduction

1002—Definitions

1002.01—Act

1002.02—Air Contaminant

1002.03—Air Pollution

1002.04—Air Pollution Source Permit

1002.05—Air Quality

1002.06—Air Quality Criterion

1002.07—Allowable Emission

1002.08—Ambient Air

1002.09—Ambient Air Quality Violation

1002.10—Area Source

1002.11—ASTM

1002.12—Background Level

1002.13—Baseline Concentration

1002.14—BACT

1002.15—Board

1002.16—BTU

1002.17—Certificate of Registration

1002.18—Collection Efficiency

1002.19—Commence Construction or

Modification

1002.20—Commission

1002.21—Construction

1002.22—Control Equipment

1002.23—Controlled Emission

1002.24—Criteria Pollutant

1002.25—Department

1002.26—Director

1002.27—Emission

1002.28—Emission Standard

1002.29—Emission Standard Violation

1002.30—Equivalent Air-Dried Kraft Pulp

1002.31—Existing Source

1002.32—Facility

1002.33—Fuel-Burning Equipment

1002.34—Fugitive Dust

1002.35—Hot Mix Asphalt Plant

1002.36—Incineration

1002.38—Industrial Process

1002.39—Kraft Pulp

1002.40—LAER

1002.41—Major Facility

1002.42—Major Modification

1002.43—Malfunction

1002.44—Modification

1002.45—Monitoring

1002.46—Multiple Chamber Incinerator

1002.47—New Source

1002.48—Nonattainment Area

1002.49—Non-Condensibles

1002.50—Odor

1002.51—Opacity

1002.52—Open Burning

1002.53—Particulate Matter

1002.54—Person

1002.55—Pilot Plant

1002.56—Portable Hot-Mix Asphalt Plant

1002.57—ppm

1002.58—Primary Ambient Air Quality

Standard

1002.59—Process or Process Equipment

1002.60—Process Weight

1002.61—Process Weight Rate

1002.62—Salvage Operations

1002.63—Secondary Ambient Air Quality

Standard

1002.64—Settleable Particulate

1002.65—Show Cause Order

1002.66—Smoke

1002.67—Source

1002.68—Source Operation

1002.69—Stack

1002.70—Standard Conditions

1002.71—Stationary Source

1002.72—Time Interval

1002.73—TRS

1002.74—Ringlemann Smoke Chart

1002.75—Uncontrolled Emission

1002.77—Wigwam Burner

1-1003—Registration & Permit Procedures

for Stationary Sources

1-1005—Reporting

1-1006—Scheduled Maintenance

1-1008—Circumvention

1-1009—Total Compliance

1-1010—Sampling & Analytical Procedures

1-1011—Provisions Governing Specific

Activities

1-1051 through 1-1055—Air Pollution

Episodes

1-1101 through 1-1112—Ambient Air

Quality Standards

1-1151 through 1-1153—Open Burning

1-1201 and 1-1203—Visible Emissions

1-1251 and 1-1252—Fugitive Dust Control

1-1301—Particulate Emission from Fuel

Burning Equipment

1-1327 through 1-1330—Particulate Matter

from Processing Equipment

1-1351 through 1-1355—Sulfur Content of

Fuels

1-1401 & 1-1402—Fluoride Emission

Limitations

1-1451 & 1-1452—Odors

1-1501 through 1-1504—Particulate Matter

from Incinerators

1-1551 through 1-1553—Motor Vehicle

Emissions

1-1601 through 1-1605—Hot Mix Asphalt Plants
 1-1651 through 1-1662—Kraft Pulp Mills
 1-1751 through 1-1755—Rendering Plants
 1-1801 through 1-1804—Rules for Control of Sulfur Oxide Emissions from Sulfuric Acid Plants

1-1900 through 1-1903, 1-1905 and 1-1906—New Source and Operating Permits
 1-1951 through 1-1968—New Source Performance Standards
 Appendix B—Emissions Inventory Ada County Carbon Monoxide Nonattainment Area
 Appendices C—Permits—Silver Valley

Appendix H—Permits—Lewiston
 Appendix J—Permits—Pocatello
 Appendix K—Permits—Soda Springs
 Beker Industries, 1973 Consent Order (40 CFR 52.670(c)(15))—SO₂ Emission Limitation
 40 CFR, Part 52, Subparts A and N
 5. The table in § 52.680 is revised to read as follows:

§ 52.680 Attainment dates for national standards.

Air quality control region	Pollutant					
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide
	Primary	Secondary	Primary	Secondary		
Eastern Idaho Intrastate	b	d	d	d	a	a
Eastern Washington-Northern Idaho Interstate (Idaho)	b	d	d	d	a	a
Idaho Intrastate	d	d	a	a	a	a
Metropolitan Boise Intrastate	d	d	a	a	a	a

a. Air quality levels presently below secondary standards.
 b. December 31, 1982.
 c. December 31, 1987.
 d. Date not established.

§ 52.685 [Reserved]

6. Section 52.685 is amended by removing paragraphs (a) and (b) and noting the section as [Reserved].

7. Section 52.687 is added to read as follows:

§ 52.687 Control Strategy: Total Suspended Particulate.

(a) *Part D Conditional Approval.* The State of Idaho must update statistical data in the plan for the Lewiston, Pocatello, and Soda Springs total suspended particulate nonattainment areas by (9 months from publication date). Information is to include, as required by Section 172 of the Clean Air Act, emission inventories, updated air quality summaries, and revised reasonable further progress curves showing adequate progress toward attainment of the National Ambient Air Quality Standards. Emissions inventory data shall be comprehensive and accurate and shall include both current and projected emissions.

8. Section 52.688 is added to read as follows:

§ 52.688 Rules and regulations.

(a) *Part D Conditional Approval.* Alternatives Analysis—The State of Idaho must adopt and submit to EPA by (9 months from publication date) a regulation which requires, consistent with Section 172(b)(11)(A) of the Clean Air Act, "an analysis of alternative sites, sizes, production processes, and environmental control techniques." This regulation would apply to the permitting process for construction or modification of a major carbon monoxide emitting facility in the Boise nonattainment area.

(b) *Part D Conditional Approval.* Definitions.

(1) "Emission Standards"—in order to be consistent with the definition of

"emission limitation" found in Section 302(k) of the Clean Air Act, the term "emission standard" must be modified to clearly require "continuous emission reduction."

(2) "Major Facility" and "Major Modification"—for consistency with 40 CFR 51.18(j), the State of Idaho must use the same "allowable emission" cut-off for carbon monoxide as for other criteria pollutants or must define major facility and major modification in terms of "potential to emit" not to exceed 100 tons per year.

§ 81.313 Idaho.

These revisions must be adopted and submitted to EPA by April 28, 1983.

PART 81—DESIGNATION OF AREA FOR AIR QUALITY PLANNING PURPOSES

Part 81 of Chapter I, Title 40 Code of Federal Regulations is amended as follows:

Subpart C—Idaho

In § 81.313, the tables for total suspended particulates and sulfur dioxide are revised to read as follows:

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
Idaho—TSP				
Silver Valley (Shoshone County).....			X	
Pocatello.....	X			
Soda Springs.....	X			
Lewiston.....	X			
Remainder of State.....				X
Idaho—SO ₂				
Silver Valley (Shoshone County).....			X	
Pocatello.....				X
Remainder of State.....				X

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40 CFR Part 180

[PP 6F1832/R467; PH-FRL 2176-7]

Tolerances and Exemptions From Tolerances for Pesticides Chemicals in or on Raw Agricultural Commodities; Diflubenzuron

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for residues of the insecticide diflubenzuron in or on the raw agricultural commodity soybeans. This regulation to establish the maximum permissible level for diflubenzuron was requested by TH Agriculture and Nutrition Co.

EFFECTIVE DATE: July 28, 1982.